



General Assembly

January Session, 2001

***Raised Bill No. 1396***

LCO No. 4661

Referred to Committee on Government Administration and Elections

Introduced by:  
(GAE)

***AN ACT IMPLEMENTING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS TO CERTAIN STATUTES RELATED TO GOVERNMENT ADMINISTRATION AND ELECTIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Subdivision (5) of subsection (b) of section 1-210 of the  
2       general statutes is repealed and the following is substituted in lieu  
3       thereof:

4       (5) (A) Trade secrets, which for purposes of the Freedom of  
5       Information Act, are defined as information, including formulas,  
6       patterns, compilations, programs, devices, methods, techniques,  
7       processes, drawings, cost data, or customer lists that (i) derive  
8       independent economic value, actual or potential, from not being  
9       generally known to, and not being readily ascertainable by proper  
10      means by, other persons who can obtain economic value from [its]  
11      their disclosure or use, and (ii) are the subject of efforts that are  
12      reasonable under the circumstances to maintain secrecy; and

13      (B) Commercial or financial information given in confidence, not

14 required by statute.

15 Sec. 2. Section 4-98 of the general statutes is repealed and the  
16 following is substituted in lieu thereof:

17 (a) Except for such emergency purchases as are made by a budgeted  
18 agency under regulations [promulgated] adopted by the  
19 Commissioner of Administrative Services, no budgeted agency [nor]  
20 or any agent thereof shall incur any obligation, by order, contract or  
21 otherwise, except by the issue of a purchase order and any other  
22 documentation necessary to process the transaction transmitted by the  
23 budgeted agency or its agents to the commissioner and the  
24 Comptroller, provided the amount to be charged against the  
25 appropriation for a budgeted agency in any year for a purchase order  
26 for a current expenditure shall be the amount anticipated to be spent in  
27 such year. The amount to be charged against the appropriation for any  
28 budgeted agency in any year for a capital expenditure, including an  
29 installment purchase, shall be the state's total cost for such capital  
30 expenditure unless otherwise authorized by the General Assembly or  
31 approved by the Finance Advisory Committee. Upon the receipt of any  
32 such purchase order and any other documentation necessary to  
33 process the transaction, the Comptroller shall immediately charge the  
34 same to the specific appropriation of the budgeted agency issuing the  
35 same and certify on the face of the purchase order that the purchase is  
36 approved and recorded, if the proposed purchase is within the  
37 applicable specific appropriation and the budgeted agency has  
38 unencumbered funds sufficient to defray such expenditure. The  
39 Comptroller shall promptly transmit such certified purchase order to  
40 the vendor named in the purchase order.

41 (b) Notwithstanding the provisions of subsection (a) of this section,  
42 the Comptroller may delegate to any budgeted agency the certification  
43 and transmission requirements of purchase orders using authorized  
44 electronic methods, provided such agency transmits the information  
45 contained in such purchase orders to the Comptroller. Upon receipt of

46 any such electronic transmission, the Comptroller shall immediately  
47 charge the same to the specific appropriation of the budgeted agency  
48 issuing the same and shall electronically certify that the purchase is  
49 approved and recorded, if the proposed purchase is within the  
50 applicable specific appropriation and the budgeted agency has  
51 unencumbered funds sufficient to defray such expenditure. Upon  
52 receipt of the Comptroller's certification, the budgeted agency shall  
53 transmit the purchase order to the vendor named in the purchase  
54 order.

55 (c) Notwithstanding the provisions of subsection (a) or (b) of this  
56 section, the Comptroller may allow budgeted agencies to use  
57 purchasing cards for purchases of ten thousand dollars or less. No  
58 budgeted agency, or any official, employee or agent of a budgeted  
59 agency, shall incur any obligation using such a card, except in  
60 accordance with procedures established by the Comptroller.

61 Sec. 3. Section 4a-16 of the general statutes is repealed and the  
62 following is substituted in lieu thereof:

63 When any person supported or cared for by the state under a  
64 program of public assistance or in an institution maintained by the  
65 Department of Public Health, [state] Department of Mental  
66 Retardation, [the state] Department of Mental Health and Addiction  
67 Services, or when an inmate of the Department of Correction, or when  
68 any child committed to the Commissioner of Social Services or  
69 Commissioner of Children and Families dies leaving only personal  
70 estate, including personal assets owing and due the estate after death,  
71 not exceeding twenty thousand dollars in value, the Commissioner of  
72 Administrative Services or the commissioner's authorized  
73 representative shall, upon filing with the probate court having  
74 jurisdiction of such estate a certificate that the total estate is under  
75 twenty thousand dollars and the claim of the state, together with the  
76 expense of last illness not exceeding three hundred seventy-five dollars  
77 and funeral and burial expenses in accordance with section 17b-84,

78 equals or exceeds the amount of such estate, be issued a certificate by  
79 said court that the commissioner is the legal representative of such  
80 estate only for the following purpose. The commissioner shall have  
81 authority to claim such estate, the commissioner's receipt for the same  
82 to be a valid discharge of the liability of any person turning over the  
83 same, and to settle the same by payment of the expense of last illness  
84 not exceeding three hundred seventy-five dollars, expense of funeral  
85 and burial in accordance with section 17b-84 and the remainder as  
86 partial or full reimbursement of the claim of the state for care or  
87 assistance rendered to the decedent. The commissioner shall file with  
88 said probate court a statement of the settlement of such estate as herein  
89 provided.

90 Sec. 4. Subsection (b) of section 4b-55 of the general statutes is  
91 repealed and the following is substituted in lieu thereof:

92 (b) "Consultant" means (1) any architect, professional engineer,  
93 landscape architect, land surveyor, accountant, interior designer,  
94 environmental professional or construction administrator, who is  
95 registered or licensed to practice [the] such person's profession [for  
96 which such person is licensed or registered] in accordance with the  
97 applicable provisions of the general statutes, or (2) any planner,  
98 construction manager or financial specialist.

99 Sec. 5. Subsection (c) of section 5-240 of the general statutes is  
100 repealed and the following is substituted in lieu thereof:

101 (c) An appointing authority may dismiss any employee in the  
102 classified service when the authority considers the good of the service  
103 will be served thereby. A permanent employee shall be given written  
104 notice of such dismissal at least two weeks in advance of the  
105 employee's dismissal, except as hereinafter provided, and a copy of the  
106 same shall be filed with the Secretary of the Office of Policy and  
107 Management or the secretary's designated representative. Such notice  
108 shall set forth the reasons for dismissal in sufficient detail to indicate  
109 whether the employee was discharged for misconduct, incompetence

110 or other reasons relating to the effective performance of [his] the  
111 employee's duties and shall be prepared in such form and given in  
112 such manner as the [commissioner] Secretary of the Office of Policy  
113 and Management prescribes. The Secretary of the Office of Policy and  
114 Management may provide by regulation for the waiving of advance  
115 notice in cases of serious misconduct by an employee affecting the  
116 public, the welfare, health or safety of patients, inmates or state  
117 employees or the protection of state property. Such regulation shall  
118 provide for written notice to a permanent employee who has attained  
119 permanent status and shall not preclude whatever rights any  
120 employee may have to appeal. The name of any such employee  
121 dismissed for incompetence or other reasons relating to the effective  
122 performance of [his] the employee's duties shall be immediately  
123 removed from the eligible list in the office of the Commissioner of  
124 Administrative Services.

125 Sec. 6. Subsection (b) of section 9-19h of the general statutes is  
126 repealed and the following is substituted in lieu thereof:

127 (b) In addition to the requirements of subsection (a) of this section,  
128 the Commissioner of Motor Vehicles, not later than January 1, 1994,  
129 shall include an application for the admission of an elector with each  
130 application form provided for a motor vehicle operator's license and a  
131 motor vehicle operator's license renewal, which are issued under  
132 subpart (B) of part III of chapter 246, and with each application form  
133 provided for an identity card issued under section 1-1h. Such  
134 application form for the admission of an elector (1) shall be subject to  
135 the approval of the Secretary of the State, (2) shall not include any  
136 provisions for the witnessing of the application, and (3) shall contain a  
137 statement that (A) specifies each eligibility requirement, (B) contains  
138 an attestation that the applicant meets each such requirement, and (C)  
139 requires the signature of the applicant under penalty of perjury. On  
140 and after January 1, 1994, the Commissioner of Motor Vehicles shall  
141 accept in person any such completed application for admission. The  
142 applicant shall state on such form, under penalty of perjury, [his] the

143 applicant's name, bona fide residence address, date of birth, whether  
 144 [he] the applicant is a United States citizen, party enrollment, if any,  
 145 prior voting address, if registered previously, and that [his] the  
 146 applicant's privileges as an elector are not forfeited by reason of  
 147 conviction of a felony. No Social Security number on any such  
 148 application form for the admission of an elector filed prior to January  
 149 1, 2000, may be disclosed to the public or to any governmental agency.  
 150 The commissioner shall indicate on each such form the date of receipt  
 151 of such application to ensure that any eligible applicant is registered to  
 152 vote in an election if it is received by the Commissioner of Motor  
 153 Vehicles by the last day for registration to vote in an election. The  
 154 commissioner shall forthwith transmit the application to the registrars  
 155 of voters of the applicant's town of residence. If a registration  
 156 application is accepted within five days before the last day for  
 157 registration to vote in a regular election, the application shall be  
 158 transmitted to the registrars of voters of the town of voting residence  
 159 of the applicant not later than five days after the date of acceptance.  
 160 The procedures in subsections (c), (d), (f) and (g) of section 9-23g  
 161 which are not inconsistent with the National Voter Registration Act of  
 162 1993, P.L. 103-31, as amended from time to time, shall apply to  
 163 applications made under this section. The commissioner is not an  
 164 admitting official and may not restore, under the provisions of section  
 165 9-46a, electoral privileges of persons convicted of a felony. [Not later  
 166 than January 15, 1993, the commissioner and secretary shall submit a  
 167 report to the General Assembly concerning the status of the  
 168 implementation of the provisions of this subsection, including an  
 169 estimate of the cost of such implementation.]

170 Sec. 7. Section 9-183c of the general statutes is repealed and the  
 171 following is substituted in lieu thereof:

172 In 1994, 1996, and quadrennially thereafter, when there is a political  
 173 party which is a major party, as defined in subparagraph (A) of  
 174 subdivision (5) of section 9-372, but is not a major party, as defined in  
 175 subparagraph (B) of said subdivision (5), a percentage of the number

176 of justices of the peace in each town selected under section 9-184c shall  
177 be selected in accordance with the provisions of this section. Such  
178 percentage shall be rounded down to the nearest whole number of  
179 justices of the peace. Each such party shall [each] be entitled to  
180 nominate twenty per cent of the total number of justices of the peace to  
181 be selected in each town under section 9-184c. Such nomination by  
182 such parties shall qualify the nominees to serve as justices of the peace.  
183 Such nomination shall be made within the time limits prescribed for  
184 municipal offices prior to a state election, for a term of two years to  
185 begin the first Monday of January in 1995, for any such nomination  
186 made in 1994, and for a term of four years to begin the first Monday of  
187 January in the year succeeding any such nomination made in 1996, or  
188 thereafter. Primaries for justices of the peace shall be by slate as in the  
189 case of convention delegates and shall be held on the same day as  
190 primaries for municipal offices.

191 Sec. 8. Subsection (a) of section 9-369b of the general statutes is  
192 repealed and the following is substituted in lieu thereof:

193 (a) Any municipality may, by vote of its legislative body, authorize  
194 the preparation and printing of concise explanatory texts of local  
195 proposals or questions approved for submission to the electors of a  
196 municipality at a referendum. Thereafter, each such explanatory text  
197 shall be prepared by the municipal clerk, subject to the approval of the  
198 municipal attorney, and shall specify the intent and purpose of each  
199 such proposal or question. Such text shall not advocate either the  
200 approval or disapproval of the proposal or question. The municipal  
201 clerk shall cause such question or proposal and such explanatory text  
202 to be printed in sufficient supply for public distribution and shall also  
203 provide for the printing of such explanations of proposals or questions  
204 on posters of a size to be determined by said clerk. At least three such  
205 posters shall be posted at each polling place at which electors will be  
206 voting on such proposals or questions. Any posters printed in excess of  
207 the number required by this section to be posted may be displayed by  
208 said clerk at [his] the clerk's discretion at locations which are

209 frequented by the public. The explanatory text shall also be furnished  
210 to each absentee ballot applicant pursuant to subsection (d) of section  
211 9-140. Except as provided in subsection (c) of this section, no  
212 expenditure of state or municipal funds shall be made to influence any  
213 person to vote for approval or disapproval of any such proposal or  
214 question. Any municipality may, by vote of its legislative body and  
215 subject to the approval of its municipal attorney, authorize the  
216 preparation and printing of materials concerning any such proposal or  
217 question in addition to the explanatory text if such materials do not  
218 advocate the approval or disapproval of the proposal or question. This  
219 subsection shall not apply to a written, printed or typed summary of  
220 an official's views on a proposal or question, which is prepared for any  
221 news medium or which is not distributed with public funds to a  
222 member of the public except upon request of such member.

***Statement of Purpose:***

To make technical corrections and grammatical changes to certain government administration and elections statutes.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*